

HENRY C. RAWSON.

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JUNE 15, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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MR. FENTON, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 6127.]

The Committee on Military Affairs, to whom was referred House bill 6127, beg leave to report the same with the recommendation that it do pass with an amendment as follows:

Strike out all after the word "late," in line 5, and substitute the following:

A first lieutenant, Company B, Tenth United States Colored Heavy Artillery, by setting aside Special Order, Numbered Two hundred and seventy-eight, Department of the Gulf, dated November seventh, eighteen hundred and sixty-three, so far as it applies to him, and granting to said Henry C. Rawson, late first lieutenant Company B, Tenth United States Colored Heavy Artillery, an honorable discharge as of date November seventh, eighteen hundred and sixty-three: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The military record of this soldier at the War Department shows that he was enrolled and mustered into service as a sergeant in Company C, Sixth Michigan Infantry Volunteers, on August 20, 1861, to serve three years. He is reported present with his company on muster rolls to February 28, 1863, inclusive, and as absent on the subsequent muster rolls to August 31, 1863, inclusive, on detached service, acting as orderly sergeant in native artillery, at Camp Parapet, Louisiana. He was honorably discharged as a private, Company C, Sixth Michigan Infantry Volunteers, to date September 5, 1863, in Special Orders, Department of the Gulf, dated September 16, 1863, to enable him to accept a commission.

He was mustered into service as second lieutenant Company B, First Louisiana Heavy Artillery Native Guards, also known as Company B, Tenth United States Colored Heavy Artillery, September 5, 1863, and as first lieutenant, same company, October 5, 1863, and was dismissed the service by Special Orders, No. 278, Department of the Gulf, dated November 7, 1863, as being insubordinate and unworthy to bear arms.

The order having been carried into execution, the War Department

is unable to take action for the relief of this soldier without the assistance of special legislation.

The facts in the case are as follows:

He was removed on a reported charge of insubordination without court-martial or hearing of any kind, and was never able to obtain one.

From the time of his commission as first lieutenant until the time of his removal, November 7, 1863, he was not with Company B, Tenth United States Colored Heavy Artillery, and did not perform any of the duties of first lieutenant of said company during that time, having been detailed by Battalion Commander Rygard as adjutant, quartermaster, and commissary of the battalion, performing the duties of these three places for the six weeks above mentioned on account of sickness of the other officers. Having been detailed to perform these services he was exempt from all duties of an officer of Company C and not responsible in any way for the acts of said company or its officers, and could not have been guilty of the reputed charge of insubordination and incapacity as an officer of Company B.

In support of the above statement of facts, the statement of Capt. S. Rygard, who detailed Lieutenant Rawson, as above stated, has been furnished, and bears out the statement that he (Lieutenant Rawson) had nothing to do with the duties of Company B. This statement is embodied in a letter from said Rygard to Colonel Kimball, Twelfth Regiment Maine Volunteers, commanding at Parapet, La., and dated November 12, 1863.

There has also been furnished the statement of S. Rygard, N. L. Rich, H. C. Rawson, M. J. Kenyon, and F. Walton, stating that Lieutenant Rawson was detailed for duty as adjutant, quartermaster, and commissary from the time of his commission until his dismissal. This statement is embodied in a letter written by these gentlemen to General Banks, commanding Department of the Gulf.

These statements are explicit and admit of no doubt as to the true conditions in this case. It is clearly evident that Lieutenant Rawson was not with Company B, Tenth United States Colored Artillery, and had not been for six weeks, when he was dismissed for insubordination as an officer of said company, but was detailed by a superior officer to other duty.

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